

**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

EGYPT HOUSE,

Plaintiff,

v.

JOHN P. KELLEY, AS AN INDIVIDUAL AND IN HIS CAPACITY AS CHAIRMAN OF THE BOARD OF ASSESSORS, WILLIAM J. WILLIS, AS AN INDIVIDUAL AND IN HIS CAPACITY AS MEMBER OF THE BOARD OF ASSESSORS, JONATHAN LEDERMAN, AS AN INDIVIDUAL AND IN HIS CAPACITY AS MEMBER OF THE BOARD OF ASSESSORS, TODD LARAMIE, AS AN INDIVIDUAL AND IN HIS CAPACITY AS ASSISTANT ASSESSOR, KAREN D. BERTOLINO, AS AN INDIVIDUAL AND FORMER ASSISTANT ASSESSOR, MICHAEL TUMULTY, AS AN INDIVIDUAL, IN HIS CAPACITY AS ASSISTANT ASSESSOR (RET.), AND CONSULTANT TO THE TOWN OF MARBLEHEAD, DOUGLAS E. PERCY, AS AN INDIVIDUAL AND IN HIS CAPACITY AS MEMBER OF BOARD OF ASSESSORS, BOARD OF ASSESSORS, TOWN OF MARBLEHEAD, THE TOWN OF MARBLEHEAD, A MASSACHUSETTS TOWNSHIP, THATCHER W. KEZER, III, AS AN INDIVIDUAL AND IN HIS CAPACITY AS TOWN ADMINISTRATOR, LISA L. MEAD, AS AN INDIVIDUAL AND IN HER CAPACITY AS TOWN COUNSEL, ADAM J. COSTA OF MEAD, TALERMAN & COSTA, LLC, AS AN INDIVIDUAL AND IN HIS CAPACITY AS COUNSEL TO THE TOWN OF MARBLEHEAD, MATTHEW D. PROVENCHER OF MEAD, TALERMAN & COSTA, LLC, AS AN INDIVIDUAL AND IN HIS CAPACITY AS COUNSEL TO THE TOWN OF MARBLEHEAD, AND MARK J. DEFRANCISCO, AS AN INDIVIDUAL AS TO CLAIMS ARISING UNDER G.L. C. 12, § 11I AND IN HIS CAPACITY AS CHAIRMAN OF THE APPELLATE TAX BOARD (EQUITABLE RELIEF ONLY AS TO CLAIMS ARISING UNDER 42 U.S.C.S. § 1983 AND 42 U.S.C.S. § 1985),

Defendants.

C.A. No.: 1:25-cv-10597-BEM

**DEFENDANTS ADAM COSTA, LISA MEAD, AND MATTHEW PROVENCHER'S  
MOTION TO STRIKE TO PLAINTIFF'S DECLARATION OF VERY REVEREND  
ARCHPRIEST NECTARIOS EBEN TREVINO [DOC. 52]**

Defendants Adam Costa, Esq., Lisa Mead, Esq., and Matthew Provencher Esq. (collectively "Town Counsel Defendants") hereby move to strike a document filed by Plaintiff, Egypt House purporting to consist of a Notice of Supplemental Authorities in support of Plaintiff's Motion for Preliminary Injunction entitled Declaration of Very Reverend Archpriest Nectaros Eben Trevino (the "Declaration") (Doc. 52) on the grounds that it was improperly filed without leave of Court, as required by Local Rule 7.1(b)(3) and therefore should not be considered with respect to Plaintiff's Motion for Preliminary Injunction (Doc. 5). The Town Counsel Defendants further note that the Declaration is not signed by the declarant, and does not aver that the facts stated therein are made under the penalty of perjury, and is therefore a nullity.

**CONCLUSION**

For all the foregoing reasons, Defendants Adam Costa, Esq., Lisa Mead, Esq., and Matthew Provencher Esq. respectfully request that this Court strike from the record Plaintiff Egypt House's Declaration of Very Reverend Archpriest Nectaros Eben Trevino (Doc. 52). Defendants further respectfully request such other relief, at law or in equity, to which they may justly be entitled.

Respectfully submitted,

DEFENDANTS ADAM J. COSTA, LISA L. MEAD, AND  
MATTHEW D. PROVENCHER,

By their Attorneys,

/s/Anne V. Kim

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Dated: April 28, 2025

*Attorneys for Defendants Adam J. Costa, Lisa L.  
Mead, and Matthew D. Provencher*

**CERTIFICATION PURSUANT TO LOCAL RULE 7.1**

Pursuant to Local Rule 7.1, I, Anne V. Kim, hereby certify that I conferred by telephone with Plaintiff's counsel today, April 28, 2025, in effort to narrow disagreement and we were not able to do so.

/s/ Anne V. Kim

Anne V. Kim

**CERTIFICATE OF SERVICE**

I, Anne V. Kim, hereby certify that this document, filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and that a true and correct paper copy of the foregoing will be sent those indicated as non-registered participants via first class mail, postage prepaid on April 28, 2025.

/s/ Anne V. Kim

Anne V. Kim